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DATE:

5/25

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TOTAL NO. OF PAGES, INCLUDING COVER:

RE:

YOUR REFERENCE NUMBER:

Discovery Motion for Drug Lab Material

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

NOTES/COMMENTS:

Thank you -

You can reach me at

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[REDACTED]

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

MIDDLESEX DISTRICT COURT
CAMBRIDGE DIVISION
DOCKET No. [REDACTED]

Commonwealth

v.

) Motion to Produce
[REDACTED]) Materials Relating to
[REDACTED]) Drug Testing and Analysis

The Defendant in the above actions moves, pursuant to M.R.Crim.P. 14(a)(1)(A), that the Commonwealth be ordered to provide the following items to the Defendant 30 days after the Court allowing this motion:

1. All Evidence Book log entries for the samples used in Drug Certification No. [REDACTED] Drug Certification No. [REDACTED] and Drug Certification No. [REDACTED] including, but not limited to, when the samples relating to each Drug Certificate was logged out of the William A. Hinton State Laboratory (hereinafter "the State Lab") evidence locker and the individual who logged out the drug evidence, the individual who received the drug evidence and the individual who returned the drug evidence back to the State Lab evidence locker.
2. All State Lab computer tracking information relating to the samples used in Drug Certification No. [REDACTED] Drug Certification No. [REDACTED] and Drug Certification No. [REDACTED]
3. The control cards used by the State Lab chemists relating to the drugs samples used in Drug Certification No. [REDACTED] Drug Certification No. [REDACTED] and Drug Certification No. [REDACTED]
4. The State Lab protocols for testing drug evidence when the samples relating to Drug Certification No. [REDACTED] Drug Certification No. [REDACTED] and Drug

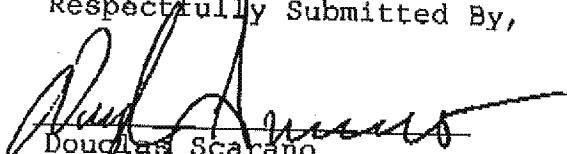
Certification No. [REDACTED] were submitted for testing in December 2009,

5. The current State Lab protocols for testing drug evidence.
6. All documents in the possession of the State Lab and the Arlington Police Department that show the chain of custody relating to the drug evidence that is reflected in Drug Certification No. [REDACTED] Drug Certification No. [REDACTED] and Drug Certification No. [REDACTED]
7. The responsibilities and protocols of the preliminary chemist at the State Lab in 2009 as they relate to the drugs samples used in Drug Certification No. [REDACTED] Drug Certification No. [REDACTED] and Drug Certification No. [REDACTED]
8. A statement as to why Annie Dookhan is longer employed by the State Lab, what caused her termination and which protocols that were violated by Annie Dookhan causing her termination.
9. The 2009 State Lab protocols and procedures for transferring drug samples from a preliminary analyst to a confirmatory analyst.
10. The 2012 State Lab protocols and procedures for transferring drug samples from a preliminary analyst to a confirmatory analyst.
11. The State Lab 2009 protocols regarding where drug sample evidence should be stored once removed from the drug locker by the preliminary analyst.
12. The current State Lab protocols regarding where drug sample evidence should be stored once removed from the drug locker by the preliminary analyst.
13. All documentary evidence from the State Lab relating to the location where Annie Dookhan kept the drug samples used in Drug Certification No. [REDACTED] Drug Certification No. [REDACTED] and Drug Certification No. [REDACTED] and how many drug samples Annie Dookhan had in her possession while the drug samples used in Drug Certification No. [REDACTED] Drug Certification No. [REDACTED]

No. [REDACTED] and Drug Certification No. [REDACTED] were in her possession.

14. The State Lab control numbers for the drug samples that were used in Drug Certification No. [REDACTED] Drug Certification No. [REDACTED] and Drug Certification No. [REDACTED]
15. The State Lab reports and records regarding any breaches in testing protocols from October 1, 2009 to January 31, 2010.
16. A Statement by the Commonwealth as to whether the evidence gathered by the Arlington Police Department as the result of the "controlled buy" preformed by the Arlington Police on January 15, 2009 was taken into custody and whether the evidence was submitted to the State Lab for testing.
17. If so, all reports and results of scientific tests and examinations, including specifically the expert's notes, logs, charts, work papers, and raw test results including the name of the analyst who preformed such testing related to the evidence gathered as a result of the "controlled buy" on January 15, 2009.
18. All reports and results of scientific tests and examinations, including specifically the expert's notes, logs, charts, work papers, and raw test results including the name of the analyst who preformed such testing relating to any drug evidence that was retested by the Commonwealth relating to the above Complaint.
19. The Arlington Police Department's written policies and procedures for the handling and submission of drug evidence to the State Lab for testing including, but not limited to, the current procedures and the procedures that existed in 2009.
20. A written statement by the Commonwealth indicating which drug certifications they intend to rely on at trial to prove which alleged charge of drug distribution by the Defendant.

Respectfully Submitted By,


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